

# ATTORNEY STEVEN E. BYRNE

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## **State of Connecticut Executive Order No. 7 B**

Executive Order No. 7 B, signed into effect by Governor Ned Lamont on March 14, 2020, details suspensions and modifications to municipal meeting and hearing requirements during the state of emergency declared on March, 10, 2020. These suspensions and modifications will remain in effect until the end of the state of emergency or further modified or terminated by Governor Lamont.

To read the Executive Order in full, please follow this link:

<https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7B.pdf>

### **Synopsis of the Order**

- Meetings are allowed to be held electronically, but not required to be held at all.
- The executive order does provide an opportunity to continue working.
- If municipalities can do this they should in the interest of due process.
- However, there is no penalty for not holding electronic meetings.

### **Standards that must be met**

- Technology must be used in a way so that the public can view or call into the meeting and participate in real time;
- Must be recorded or transcribed and posted on municipal website within 7 days;
- Must be posted on town's website with information regarding how to call in. Notice posting must include the call-in number/log in number and be readily available;
- Materials to be discussed during the meeting must be made available on the website and be posted 24 hours in advance of the meeting;
- Members of the public are encouraged to submit materials 24 hours in advance; and
- Speakers must clearly identify themselves for the record each time they speak.

It should be remembered that these measures are optional – a municipality can choose to not hold meetings during this state of emergency.

*This important update is provided as a courtesy  
by the Law Offices of  
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## **State of Connecticut Executive Order No. 7 I**

Paragraph 19 of Executive Order No. 7 I, signed into effect by Governor Ned Lamont on March 21, 2020, details suspensions and modifications to municipal procedural requirements and time limitations during the state of emergency declared on March, 10, 2020. These suspensions and modifications will remain in effect until the end of the state of emergency or further modified or terminated by Governor Lamont.

To read the Executive Order in full, please follow this link:

<https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7I.pdf>

## **Extensions**

### **Applications**

The time for commencing and completing any public hearing as well as the time for rendering a decision on any application can be extended 90 days. This 90-day extension is in addition to the 65-day extension period provided by state statute. Thus, Commissions will have a total of 155 days to rule on applications and fillings. The commission cannot apply this ninety-day extension to a single application or filing more than once. THE COMMISSION CAN IMPOSE THE 90 DAY EXTENSION ON ITS OWN.

### **Reports and Submissions to Agencies**

The deadline for reports or submissions made to any agency will be extended ninety days.

### **Demolitions**

If the demolition delay required by C.G.S. §7-147j will either begin or expire during the state of emergency, the period of delay will be extended ninety days.

## **Notice**

### **Notice of Actions Published in Newspapers**

The requirement for notice of public meetings, actions, or proceedings to be published in newspapers has been suspended during the state of emergency. Instead, notice of events should be published on the municipal website and should remain visible until the competition of the relevant event. The date the notice appears on the website is the earlier publication date. Notice of decision is still required.

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## **Notice of Actions filed with the Municipal Clerk**

Any requirement for notice of any meeting, action or proceeding to be filed with any municipal clerk has been suspended. Instead such notice can be published on the municipal website and should remain visible until the completion of the relevant event. Notice of decision is still required.

## **Physical Signs**

Any requirement for a physical sign to be posted can be satisfied by publishing electronic notice on the municipal website. This electronic notice should remain visible on the municipal website until the completion of the relevant event and can be satisfied by the website notice that replaces the published notice.

## **Notice of Applications, Petitions, or Other Proposals**

Any requirement for direct or personal notice of any application, petition, or other proposal by mail is suspended. Instead, notice may be sent via email to any person, agency, municipal clerk, municipality, utility company, or water company if the email address is known. The municipality must list any known e-mail address on its website. If the email address is not known, the requirement for direct or personal notice may be satisfied in one of two ways. First, notice may be satisfied by posting a physical, waterproof sign measuring at least two feet by three feet in area in a prominent location on the property that includes specifics regarding the application and the date, time, and location of any hearings. Or, second, notice may be satisfied by mailing letters via regular U.S. mail to addresses provided by the municipality.

## **Commencements of Petitions and Appeals**

Petitions, including petitions of decision, may be signed electronically. Notice of said petition may be satisfied by email. The time period for petitions remains unchanged.

Appeals to the Superior Court may be started by a “proper officer” by emailing notice to the designated municipal clerk. The time period to begin an appeal to the Superior Court remains unchanged. Municipalities should clearly post the email address for notice.

Appeals regarding the decision of a zoning enforcement officer or an agent for an inland wetland agency may be started by mailing notice to the zoning commission, zoning enforcement officer, zoning board of appeals or inland wetlands agency, as appropriate, via regular U.S. mail or via email. The time period to begin an appeal of decision remains unchanged.

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## **Additional Provisions**

Municipalities must include printed or electronic confirmations of all modifications, extensions, notices, and decisions in permanent office records within a reasonable time after reopening the municipal office.

Documents required by law to be recorded or filed with the municipal clerk should be recorded or filed within a reasonable time after reopening the municipal office. This would include subdivision plans, special permits and zoning permits.

Municipalities may waive any requirement that applications must be submitted in paper copy or in duplicate by declaration of the head of the agency.

All of these measures are OPTIONAL and allow a municipality to conduct business during this state of emergency.

On the Memo: Nicole L. Byrne  
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